

JOHN F. COOK
MAYOR

JOYCE WILSON
CITY MANAGER



CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
J. ALEXANDRO LOZANO, DISTRICT 3
MELINA CASTRO, DISTRICT 4
PRESI ORTEGA, JR., DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

AGENDA FOR SPECIAL CITY COUNCIL MEETING

March 5, 2007
10th Floor Conference Room, City Hall
4:00 p.m.

AGENDA: Question and answer session with staff on the items listed on the Agenda posted for the Regular City Council Meeting of Tuesday, March 6, 2007. No deliberations among the Council members will be held and no action will be taken during this meeting on the items posted on the Agenda.

AGENDA FOR REGULAR CITY COUNCIL MEETING

March 6, 2007
Council Chambers, City Hall
8:30 a.m.

After the meeting is convened, the City Council shall consider the following items in the following order no sooner than the designated times, but may consider them at a later time.

8:30 a.m.: Roll call and Executive Session*
9:00 a.m.: Invocation and Pledge of Allegiance
9:00 a.m.: Ceremonial items followed by all other items posted on the Agenda

*At any time during the Council meeting, the City Council may meet in executive session pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss items as permitted by law.

Invocation – Police Chaplain Clift Barnes
Pledge of Allegiance

MAYOR'S PROCLAMATIONS

- 1. WOMEN IN CONSTRUCTION WEEK**
- 2. DAUGHTERS OF THE BRITISH EMPIRE IN THE USA**
- 3. CESAR CHAVEZ MONTH**
- 4. MULTIPLE SCLEROSIS AWARENESS WEEK**

MAYOR'S RECOGNITION

**EXCELLENCE IN PLANNING AWARD TO THE CITY OF EL PASO –
PARKS AND RECREATION DEPARTMENT
FROM THE TEXAS RECREATION AND PARKS SOCIETY (TRAPS)**

CALL TO THE PUBLIC – PUBLIC COMMENT

**This time is reserved for members of the public who would like to address the
City Council on items that are not on the City Council Agenda.**

A sign-up form is available on line at https://www.elpasotexas.gov/muni_clerk/contact_public.asp
for those who wish to sign up in advance of the meeting date and a sign-up form is available
outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day
of the meeting.

Requests to speak must be received by 9:00 a.m. on the date of the meeting.

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

NOTICE TO THE PUBLIC

All matters listed under the CONSENT AGENDA, including those on the Addition to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members. Prior to the vote, members of the audience may ask questions regarding items on the consent agenda. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting. The wording of all agenda items shall appear in the minutes of this meeting of the City Council as posted, unless otherwise revised by this or other motion of Council, without the necessity of the City Clerk reading the wording of each item into the record.

CONSENT AGENDA

1. APPROVAL OF MINUTES:

Approval of Minutes for the Regular City Council Meeting of February 27, 2007, and the Special City Council Meeting of February 26, 2007 (Agenda Review).
[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

3. RESOLUTIONS:

3A. That the City expend additional available funding in the amount of \$228,181.85 to change the street construction from asphalt to concrete for Stanton Street (Main Avenue to San Antonio Avenue) and Franklin Street (from Oregon Street to Campbell) for Contract Number 2006-119, Central Business District – Phase III. **(District 8)** [Engineering, Javier Reyes, (915) 541-4630]

- 3B. That the City exercises the option to extend the existing two year agreement for engineering and environmental consultant services on an as needed basis by and between the City of El Paso and Amec Earth & Environmental, Inc., for one additional one year period. **(All Districts)** [Engineering, Javier Reyes, (915) 541-4630]
- 3C. That the City Manager be authorized to sign an Employment Agreement between the City of El Paso and Jorge Castillo to employ Jorge Castillo as an International Coordinator for the Economic Development Department at a biweekly rate of \$2,307.69. The term of the contract shall be for the period of March 13, 2007, through March 12, 2008. Fund Source: 72010268-01101-72000-501011. **(All Districts)** [Economic Development, Kathryn Dodson, (915) 541-4670]
- 3D. That the Mayor be authorized to sign an amendment to the Resolution providing for the 2007 General Election in the City of El Paso calling for an election of four district representatives, and for the submission of Charter Amendments, to be held within the City on May 12, 2007, by adopting Exhibit A (List of Polling Places) and Exhibit B (List of Mobile Voting Places, Dates and Times), and to specify the location of the Zaragoza area early voting place. **(All Districts)** [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]
- 3E. That the Mayor be authorized to sign a Resolution for the appointment of election officials for the City of El Paso General Election and Submission of Charter Amendments on May 12, 2007. **(All Districts)** [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]
- 3F. That the Mayor be authorized to sign an Interlocal Governmental Agreement between the City of El Paso and El Paso Independent School District to allow for a joint election on May 12, 2007, for the purpose of sharing the costs. **(All Districts)** [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]
- 3G. That the Mayor be authorized to sign an Interlocal Governmental Agreement between the City of El Paso and Socorro Independent School District to allow for a joint election on May 12, 2007, for the purpose of sharing the costs. **(All Districts)** [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]
- 3H. That the Mayor be authorized to sign an Interlocal Governmental Agreement between the City of El Paso and Ysleta Independent School District to allow for a joint election on May 12, 2007, for the purpose of sharing the costs. **(All Districts)** [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

4. BOARD APPOINTMENT:

Saul Frank to the International Bridge Commission by City Representative Beto O'Rourke, District 8. [Representative Beto O'Rourke, (915) 541-4268]

5. APPLICATIONS FOR TAX REFUND:

That the tax refunds listed on the attachment posted with this agenda be approved. (See Attachment A). **(All Districts)** [Tax Office, Juan Sandoval, (915) 541-4369]

6. BEST VALUE PROCUREMENT:

The award of Solicitation No. 2007-113 (Golf Course Stone Signs & Signage) to R. S. Carlson & Associates Inc. for a total estimated award of \$38,648.00.

Department:	Aviation
Award to:	R. S. Carlson & Associates Inc. Portland, OR
Item(s):	All
Option:	Vendor offers the option of purchasing up to one hundred percent [100%] of the original contract quantities, at the same unit price, if the option is exercised within 90 Days from date of award of the contract.
Account No.:	62620026 – 508027 – 41063 - PAP0023
Funding Source:	EPIA Enterprise Funds
Total Estimated Award:	\$38,648.00
District:	3

This is a fixed-price, single (one-time) purchase.

Vendor offers a 1% discount if paid within 10 days.

The Departments of Financial Services and Aviation recommend award to the vendor offering the best value bid. [Financial Services, Terrence Freiburg, (915) 541-4313]

7. REQUEST FOR PROPOSAL:

The award of Solicitation No. 2007-125R (Wireless Communication Equipment) to DTS Communications, Inc. for a total estimated award of \$49,981.21.

Department:	Information Technology
Award to:	DTS Communications, Inc. Pryor, OK
Item(s):	1 - 4
Account No.:	31118111 – 508010 – 27039 - PCP07CAP001
Funding Source:	IT Capital Equipment
Total Estimated Award:	\$49,981.21
Districts:	All

Review Committee recommends award as indicated. DTS Communications, Inc. submitted the highest ranked and best proposal to meet the needs of the City.

This is a one-time purchase.

The Departments of Financial Services and Information Technology recommend the award as indicated. [Financial Services, Terrence Freiburg, (915) 541-4313]

8. BID:

The award of Solicitation No. 2007-067 (Aluminum Traffic Signal Bases) to Sunwest Sales Company for a total estimated award of \$53,400.00.

Department: Street
Award to: Sunwest Sales Company
Hayward, CA
Item(s): 1
Account No.: 32010288 – 01101 – 503203
99331117 – 27263 – 508027 – Project PCP06ST013
Funding Source: Operating Account – Traffic Signals – Public Access
Maintenance and Repairs and FY06 Co's – Construction
(Signal Flasher Install)
Total Estimated Award: \$53,400.00
Districts: All

This is a thirty-six month contract.

The Departments of Financial Services and Street recommend award as indicated to the lowest responsive, responsible bidder. [Financial Services, Terrence Freiburg, (915) 541-4313]

REGULAR AGENDA - INTRODUCTIONS

9. INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:

**Public comment typically is not taken during the introduction of ordinances.
Public comments are invited at the date of the scheduled public hearing.**

- 9A.** An Ordinance repealing Ordinance No. 016538 which amended Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.041 (Schedule IV(A) - Parking Prohibited During Certain Hours, School Days Only), Paragraph A (No Parking 7:00 a.m. to 4:00 p.m.) of the El Paso City Code by adding both sides of Alex Guerrero Circle. **(District 6)**
[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]
- 9B.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.200 (Schedule XVII - Restrictions on Parking in Residential Districts) of the El Paso City Code to amend Zone N: No Parking 7:00 a.m. – 4:00 p.m., School Days Only, on both sides of Alex Guerrero Circle. The penalty being as provided in Section 12.84.010 (Violation - Penalty) of the El Paso City Code. **(District 6)**
[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]
- 9C.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.44 (Stopping, Standing and Parking Generally), Section 12.44.180 (Regulations Pertaining to Certain Special Situations), Subsection B amending to add Subparagraph 31 (Reserved for Library Vehicles Only) of the El Paso City Code to reserve three spaces within the curb setback on the west side of Oregon Street between Franklin Avenue and Missouri Avenue and three spaces on the north side of Franklin Avenue between Oregon Street and El Paso Street. The penalty being as provided in Section 12.48.010 (Violation - Penalty) of the El Paso City Code. **(District 8)** [Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]

- 9D. An Ordinance vacating a portion of Dakota Street right-of-way, Highland Park Addition, City of El Paso, El Paso County, Texas. Subject Property: Southwest corner of intersection of Portland Avenue and Dakota Street. Applicant: Ruben and Virginia Ramirez. SV06002. **(District 2)**
[Development Services/Planning, James Fisk, (915) 541-4638]
- 9E. An Ordinance relating to the use of the power of Eminent Domain in the Redevelopment Districts of The Downtown 2015 Plan. **(District 8)**
[Mayor John F. Cook, (915) 541-4145]

PUBLIC HEARING WILL BE HELD ON MARCH 20, 2007, FOR ITEMS 9A – 9E

- 9F. An Ordinance changing the zoning of the following real property described as: Parcel 1: a portion of Tract 2B2, Section 45, and a portion of Tract 1, Section 46, Block 79, Township 2, Texas and Pacific Railroad Surveys, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to R-3A (Residential); Parcel 2: a portion of Tract 1, Section 46, Block 79, Township 2, Texas and Pacific Railroad Surveys, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to R-5 (Residential); Parcel 3: a portion of Tract 1, Section 46, Block 79, Township 2, Texas and Pacific Railroad Surveys, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to A-O (Apartment/Office); Parcel 4: a portion of Tract 2B2, Section 45, and a portion of Tract 1, Section 46, Block 79, Township 2, Texas and Pacific Railroad Surveys, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to C-3 (Commercial) and imposing conditions; Parcel 5: a portion of Tract 1, Section 46, Block 79, Township 2, Texas and Pacific Railroad Surveys, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to C-1 (Commercial). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: Zaragoza Road and Tierra Este Road. Applicant: GFA, LLC. ZON06-00139. **(District 5)** [Development Services/Planning, Esther Guerrero, (915) 541-4720]
- 9G. An Ordinance changing the zoning of the following real property described as: Parcel 1: Lot 2, Block 5, Camelot Heights Unit 2, City of El Paso, El Paso County, Texas, from A-3/O/SC (Apartment/Office High Density/Special Contract) to R-3A/SC (Residential/Special Contract); and Parcel 2: Lot 2, Block 6, Camelot Heights Unit 2, City of El Paso, El Paso County, Texas, from A-O/SC (Apartment/Office/Special Contract) to R-3A/SC (Residential/Special Contract). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: East of Mesa Street and North of Ridgecrest Drive. Applicant: Camelot Point, LLC. ZON06-00158. **(District 1)**
[Development Services/Planning, Esther Guerrero, (915) 541-4720]

PUBLIC HEARING WILL BE HELD ON MARCH 27, 2007, FOR ITEMS 9F – 9G

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9:00 a.m. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances; no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8:00 a.m. to 5:00 p.m.

REGULAR AGENDA – PUBLIC HEARINGS

10. PUBLIC HEARINGS – DEVELOPMENT SERVICES

- 10A.** An Ordinance granting Special Permit No. ZON06-00127 to allow for an infill development on the property described as Lots 21-30, Block 103, Supplemental Map No. 1 of East El Paso, City of El Paso, El Paso County, Texas, pursuant to Section 20.14.040 of the El Paso City Code. The penalty being as provided in Chapter 20.68 of the El Paso City Code. Subject Property: South of Bisbee Avenue and West of San Marcial Street. Applicant: Miguel Andrade Jr. ZON06-00127 **(District 8)**

[Development Services/Planning, Melissa Granado, (915) 541-4730]

- 10B.** An Ordinance changing the zoning of a Portion of Tract 210, South Parkland Addition, City of El Paso, El Paso County, Texas, from C-2/SC (Commercial/Special Contract) to R-5/SC (Residential/Special Contract) and imposing a condition. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: Transmountain and Cross Street. Applicant: Carefree Homes, L.P. ZON06-00143. **(District 4)**

[Development Services/Planning, Arlan Greer, (915) 541-4322]

- 10C.** An Ordinance granting Special Permit No. ZON06-00144 to allow for a planned residential development on a Portion of Tract 210, South Parkland, City of El Paso, El Paso County, Texas, pursuant to Section 20.14.040 (Zoning) of the El Paso City Code. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: Transmountain and Cross Street. Applicant: Carefree Homes, L.P. ZON06-00144 **(District 4)**

[Development Services/Planning, Arlan Greer, (915) 541-4322]

11. PUBLIC HEARING –POLICE DEPARTMENT:

An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.21. (Dangerous Intersection Monitoring System and Enforcement), of the El Paso City Code to clarify the civil penalty for creating dangerous intersections; adding an affirmative defense for turning after stopping; and removing the language concerning mandatory reconsideration of the Ordinance. **(All Districts)**

[Police Department, Paul Cross, (915) 564-7310] **POSTPONED FROM 02-20-07**

12. PUBLIC HEARINGS – TAX OFFICE:

- 12A.** Approve an Ordinance authorizing the City Manager to execute a quitclaim (tax resale) deed conveying all right, title, and interest in: Tract I, Block L, Military Heights Replat, an Addition to the City of El Paso, El Paso County, Texas, to MJ Real Properties, Inc., in accordance with Section 34.05 (h) of the Tax Code. Located at the end of Oklahoma Street; the cross street is Jackson and Alabama, about .5 mile from Beaumont Medical Hospital. **(District 1)**

[Tax Office, Carmen I. Perez, (915) 545-5481]

- 12B.** Approve an Ordinance authorizing the City Manager to execute a quitclaim (tax resale) deed conveying all right, title, and interest in: Lot 15-A, Block 9, Mission Hills Addition, an Addition to the City of El Paso, being more particularly described in volume 735, page 931, deed records of El Paso County, Texas, to

Albert Dayoub, in accordance with Section 34.05 (h) of the Tax Code. Access is through Bacerac Street, off of O'Keefe Street in the Kern Area. **(District 1)**
[Tax Office, Carmen I. Perez, (915) 545-5481]

12C. Approve an Ordinance authorizing the City Manager to execute a quitclaim (tax resale) deed conveying all right, title, and interest in: Lot 16-A, Block 9, Mission Hills Addition, an Addition to the City of El Paso, being more particularly described in volume 735, page 931, deed records of El Paso County, Texas, to Albert Dayoub, in accordance with Section 34.05 (h) of the Tax Code. Access is through Bacerac Street, off of O'Keefe Street in the Kern Area. **(District 1)**
[Tax Office, Carmen I. Perez, (915) 545-5481]

12D. Approve an Ordinance authorizing the City Manager to execute a quitclaim (tax resale) deed conveying all right, title, and interest in: Portion of Lot 17-A, Block 9, Mission Hills Addition, an Addition to the City of El Paso, being more particularly described as all of Lot 17-A, Block 9, Mission Hills in volume 735, page 931, deed records; and save and except a portion of lot 17-a, as described in volume 1542, page 1702, deed records of El Paso County, Texas, (4104 Bacerac Ct.) to Albert Dayoub, in accordance with Section 34.05 (h) of the Tax Code. Access is through Bacerac Street, off of O'Keefe Street in the Kern Area. **(District 1)** [Tax Office, Carmen I. Perez, (915) 545-5481]

12E. Approve an Ordinance authorizing the City Manager to execute a quitclaim (tax resale) deed conveying all right, title, and interest in: Lots 3 through 15, Block 29, Highland Park Addition, being more particularly described in Volume 13, Page 8, Map or Plat Records of El Paso County, Texas, to North Cotton Associates, L.L.C., in accordance with Section 34.05 (h) of the Tax Code. Located off of N. Cotton Street near the intersection of Murchison, and near the northwest corner of Murchison and Cotton, right next to the Southwest General Hospital, on the north side of the hospital. **(District 1)**
[Tax Office, Carmen I. Perez, (915) 545-5481]

12F. Approve an Ordinance authorizing the City Manager to execute a quitclaim (tax resale) deed conveying all right, title, and interest in: Lots 21 through 29, Block 29, Highland Park Addition, being more particularly described in Volume 13, Page 8, Deed Records of El Paso County, Texas, to North Cotton Associates, L.L.C., in accordance with Section 34.05 (h) of the Tax Code. Located off of N. Cotton Street near the intersection of Murchison, and near the northwest corner of Murchison and Cotton, right next to the Southwest General Hospital, on the north side of the hospital. **(District 1)** [Tax Office, Carmen I. Perez, (915) 545-5481]

REGULAR AGENDA – OTHER BUSINESS

13. MAYOR AND COUNCIL:

13A. Discussion and action regarding a Resolution of the Mayor and City Council supporting the goals of International Women's Day.
[Representative Susie Byrd, (915) 541-4416]

13B. Discussion and action on a Resolution regarding the City of El Paso's request that the Texas Commission on Environmental Quality hold the Commissioners' public meeting on the Asarco Air Permit in the City of El Paso.
[Mayor John F. Cook, (915) 541-4145]

- 13C.** Discussion and action on a Resolution that Representative Presi Ortega shall be removed and Representative Steve Ortega shall be appointed to the Transportation Policy Board for the Metropolitan Planning Organization for the El Paso Urban Transportation Study area; and that the City's appointment of Representative Steve Ortega pursuant to this Resolution shall become effective May 8, 2007. [Mayor John F. Cook, (915) 541-4145]
- 13D.** Discussion and action to authorize the Mayor to execute a Resolution that creates the Camino Real Regional Mobility Authority, appoints one Board member for each Camino Real Regional Mobility Authority Board position from the list of nominees below, and determines term lengths of each Board member through the drawing of lots. [Mayor John F. Cook, (915) 541-4145]

Position 1

1. Ike J. Monty
2. Stuart R. Schwartz
3. David Marcus

Position 2

1. J.O. Steward
2. Marisa Barrio
3. Tedd F. Richardson

Position 3

1. Wayne Windle
2. Ann Herkenhoff
3. Ann Rush

Position 4

1. Brenda Ehrlich
2. Heramb K. Singh, M.D.
3. Tanny Berg

Position 5

1. Steve Yellen
2. Yusuf E. Farran, PE, RS
3. Ralph Adame

Position 6

1. Dr. Tony Payan
2. Belen Robles
3. Scott McLaughlin

14. FINANCIAL SERVICES:

Discussion and action on a Resolution that the City Manager be authorized to execute an interlocal Agreement by and between the City of El Paso, Texas, and the El Paso County, Texas, whereby both entities agree to combine their efforts, from time-to-time, for the purchase of goods and services. **(All Districts)**
[Financial Services, Terrence Freiburg, (915) 541-4313]

15. CITY MANAGER:

City Manager's report of current events and issues:

- 15A.** Discussion and action on issues related to Storm 2006.
[Development Services, R. Alan Shubert, (915) 541-4557]
- 15B.** Review and discussion of economic development incentives approved since 2005 and an El Paso, southern New Mexico incentives comparison.
[Economic Development, Kathryn Dodson, (915) 541-4670]

EXECUTIVE SESSION

The City Council of the City of El Paso may retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.) The City Council will return to open session to take any final action and may

also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES
Section 551.087	DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the following:

EX1. Melina Castro vs. Charlie McNabb. (551.071).
[City Attorney's Office, Laura Gordon, (915) 541-4550]

NOTICE TO THE PUBLIC:

Sign Language interpreters are provided for regular City Council meetings. Copies of this Agenda will be provided in Braille, large print, or audiotape upon requests made a minimum of 48 hours prior to the meeting.

Hearing Assistance Devices are available upon request.

ALL REGULAR CITY COUNCIL AGENDAS ARE PLACED ON THE INTERNET EVERY FRIDAY AT THE ADDRESS BELOW:

<http://www.elpasotexas.gov/>